

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

14-CR-215

BRANDON WASHINGTON,

DECISION AND ORDER

Defendant.

1. On August 31, 2018, the defendant, Brandon Washington, pleaded guilty to Counts 1 and 5 of the indictment charging violations of Title 21, United States Code, Section 846 (conspiracy to possess with intent to distribute and to distribute 5 kilograms or more of cocaine) (Count 1) and Title 31, United States Code, Section 5324(a)(3) (transaction structuring to evade reporting requirements) (Count 5). Docket Item 1.

2. On August 31, 2018, the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 187.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Schroeder's Report & Recommendation (docket item 187), the plea agreement (docket item 186), the indictment (docket item 1), a transcript of the digital FTR recording of the plea proceeding (docket item 189), and the applicable law. This Court finds no legal or

factual error in Judge Schroeder's Report & Recommendation and therefore adopts Judge Schroeder's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Counts 1 and 5 of the indictment.

IT IS HEREBY ORDERED that this Court adopts Judge Schroeder's August 31, 2018 Report & Recommendation, Docket Item 187, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Brandon Washington, is now adjudged guilty under Title 21, United States Code, Section 846 and Title 31, United States Code, Section 5324(a)(3).

SO ORDERED.

Dated: November 16, 2018
Buffalo, New York

s/ Lawrence J. Vilardo
LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE